



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY

ST. PAUL DISTRICT, CORPS OF ENGINEERS
190 FIFTH STREET EAST
ST. PAUL, MN 55101-1638

CEMVP-EE

30 JUL 2004

MEMORANDUM FOR All Employee St. Paul District

SUBJECT: Policy Letter No. 04-07, Prevention Workplace Harassment

1. As the Commander of the US Army Corps of Engineers St. Paul District, I am committed to the eradication of harassment in the workplace based on discriminatory factors.
2. For years, the Army has communicated its prevention of sexual harassment in the workplace through its policies and mandatory training classes. Prohibitions against quid quo pro, wherein a supervisor is alleged to have used implicitly or explicitly coercive sexual behavior to affect a tangible employment action of an employee; and creation of a hostile work environment, where an employee, supervisor, customer, vendor, etc., participates in gender-based unwelcomed comments, gestures, or physical contact of a sexual nature, have long been in place and are well institutionalized. It is now time that we broaden this prohibition policy to include any harassment in the workplace that is based on a person's race, color, national origin, age, religion, disability (physical or mental), or sex. The criterion for determining what types of behavior constitute harassment will be based on (1) whether the conduct was unwelcome; (2) whether the conduct was based on an employee's protected status; and (3) whether the conduct was severe or pervasive enough to affect the employee's employment. The standard for making these determinations will be based upon what a "reasonable person" would find.
3. It is our goal to afford every employee a work environment free of harassment and behaviors they consider offensive and while hostile environments might be difficult to recognize, employees and supervisors should be aware that jokes, teasing, profanity and horseplay in the workplace may be viewed as offensive by others. If you are not sure, ask yourself the following questions:
 - a. Is the verbal or physical behavior of a sexual nature?
 - b. Is the conduct offensive to the persons who witness it?
 - c. Is the behavior being initiated by one of the parties who has power over the other?
 - d. Might the employee feel that they must tolerate the conduct in order to keep their job?
 - e. Might the conduct make the employee's job environment unpleasant?

If the answer to any of these questions is "yes," put a stop to the conduct.

4. A key element of defining unwelcome harassment is that the recipient of the harassment, not the person initiating the behavior, determines the perception of unwelcome. Targeted harassment is a form of employee misconduct that undermines the integrity of the employment relationship, lowers morale, reduces productivity, and is a violation of the victim's civil rights, if it is based on

the individual's protected status. This type of behavior in the workplace is unacceptable conduct and will not be tolerated.

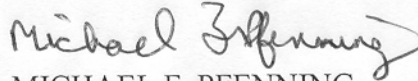
5. I expect leaders at all levels to address allegations of workplace harassment swiftly, fairly, and effectively regardless of whether a complaint has or has not been initiated. Further, allegations of sexual harassment will be brought to my attention, through the EEO Officer, within 24 hours of the supervisor becoming aware of it. It is my policy to eliminate discriminatory harassment from the workplace and provide all employees an environment free from harassing behavior. In order to implement this mandate, all employees are expected to take a leadership role in carrying out the following initiatives:

a. Inform yourselves of the avenues for seeking redress and the action that will be taken against individuals who violate this policy.

b. Make a personal commitment to exhibit the high standards of behavior exemplified by the Federal code of conduct and Ethics regulation.

c. Take the required Department of Army training in the identification and prevention of prohibited workplace harassment.

6. I expect full cooperation of all supervisors, managers, and employees in maintaining an environment, which fosters equal employment opportunity for all.


MICHAEL F. PFENNING
COL, EN
Commander

This Policy Letter supersedes Policy Letter No. 02-1 dated August 2001.